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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-5740-2023 (O&M)
Date of decision : 20.11.2023**

Pardeep Singh

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Nonish Kumar, Advocate,
for the petitioner.

Mr. Ashok S. Chaudhry, Addl.A.G., Haryana.

Mr. Dinesh Maurya, Advocate,
for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, '*the Cr.P.C.*') read with Sections 389 & 482 of the Cr.P.C., for grant of bail pending trial to the petitioner in complaint No.118 of 2018, under Sections 138/142 of the Negotiable Instruments Act, decided on 11.04.2018 and during the pendency of Criminal Appeal No.290 of 2018 titled as "Pardeep Singh Vs. Zile Singh".

2. Jointly stated that Criminal Appeal No.290 of 2018, filed against the judgment of conviction and order of sentence dated 11.04.2018, passed by learned Judicial Magistrate First Class, Assandh (Karnal) is pending before the Court of learned Additional Sessions Judge, Karnal.

3. It transpires that a Coordinate Bench granted interim bail to the petitioner on 08.02.2023, in the following manner:-

“By way of present petition, challenge has been made to an order dated 13.01.2023 passed by the court of learned Additional Sessions Judge, Karnal, dismissing the prayer made by the petitioner for grant of bail.

In the present case, the petitioner was convicted under Section 138 of the Negotiable Instruments Act, 1881, vide order dated 11.04.2018 passed by the trial court. Aggrieved thereof, the petitioner filed an appeal, wherein, on account of his non-appearance, warrants of arrest were issued against him vide order dated 25.11.2021, with the cancellation of his bail bonds, followed by forfeiture of his surety bonds. In pursuance thereof, the petitioner was arrested by the police on 02.01.2023 and thereafter, he applied for grant of bail, which came to be declined vide order dated 13.01.2023 by the court of learned Additional Sessions Judge, Karnal.

Learned counsel for the petitioner submits that the petitioner is ready and willing to settle the entire dispute with respondent No.2-complainant and in order to show his bonafide, he will deposit a sum of Rs.50,000/- within a period of 15 days of his release.

Learned counsel further submits that the petitioner has already suffered a lot as he is behind the bars for the past more than 1 month now.

Notice of motion.

Mr. Ramesh Kumar Ambavta, AAG, Haryana accepts notice on behalf of the respondent No.1-State.

Considering the aforesaid, the petitioner is ordered to be released on interim bail to the satisfaction of trial court/Duty Magistrate.

To evaluate the bonafide of the petitioner, he is directed to deposit a sum of Rs.50,000/- before the trial court within a period of 15 days from the date of his release, to be paid to the respondent.

List on 15.03.2023.”

4. In view of the above and with consent of both sides, present petition is disposed off with the observation that aforesaid interim order dated 08.02.2023 shall remain in force till the decision of the appeal No.290 of 2018.
5. Learned Additional Sessions Judge is requested to conclude the proceedings expeditiously, if there is no legal impediment and status report be sent to the Registry by 31.03.2024.
6. Pending application(s), if any, shall also stand disposed off.

20.11.2023
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/ reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether reportable</i>	:	<i>Yes</i>	/	<i>No</i>